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STANDING COMMITTEE ON RESOURCES DEVELOPMENT

ORGANIZATION

THURSDAY, JULY 11, 1985



STANDING COMMITTEE ON RESOURCES DEVELOPMENT

CHAIRMAN: Laughren, F. (Nickel Belt NDP)
VICE-CHAIRMAN: Ramsay, D. (Timiskaming NDP)
Barlow, W. W. (Cambridge PC)
Bernier, L. (Kenora PC)
Elgie, R. G. (York East PC)
Ferraro, R. E. (Wellington South L)
Martel, E. W. (Sudbury East NDP)
Miller, G. I. (Haldimand-Norfolk L)
Sargent, E. C. (Grey-Bruce L)
South, L. (Frontenac-Addington L)
Stevenson, K. R. (Durham-York PC)

Substitutions:

Offer, S. (Mississauga North L) for Mr. South
Polsinelli, C. (Yorkview L) for Mr. Ferraro
Pouliot, G. (Lake Nipigon NDP) for Mr. Martel
Smith, D. W. (Lambton L) for Mr. Sargent

Clerk: Mellor, L.

LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Thursday, July 11, 1985

The committee met at 8:05 p.m. in room 1.

ORGANIZATION

Clerk of the Committee: Honourable members, it is my duty to call upon you to elect a chairman. May I have nominations, please.

Mr. Ramsay: I would like to nominate Floyd Laughren as chairman.

Clerk of the Committee: Are there any further nominations? There being no further nominations, I declare the nominations closed and Mr. Laughren to be chairman.

Mr. Chairman: I would like to express my appreciation to the members of the committee for their vote of confidence. All I ask is that I receive the same degree of co-operation that my predecessor, Mr. Barlow, had as chairman of this committee. I am not saying this to embarrass Bill, but he did a fine job as chairman of the committee, and I think those of us who were around and sat on that committee would agree that there were virtually no problems with Bill's chairmanship of the committee. I appreciated that as a member of the committee. Well done.

I would ask now for nominations for vice-chairman of the committee.

Mr. G. I. Miller: I nominate David Ramsay as vice-chairman of the standing committee on resources development.

Mr. Chairman: David Ramsay has been nominated. Are there any other nominations? There being none, David Ramsay is vice-chairman of the committee. Welcome, David.

Mr. Barlow: Did he accept?

Mr. Chairman: He accepted. I saw him nod perceptibly.

There is an agenda before members of the committee; everyone has one. We are now down to authorization of Hansard transcription. We should deal with that.

Mr. Barlow: I would move that, unless otherwise ordered, a transcript of all committee hearings be made.

Mr. Chairman: Any discussion of the motion? Is it agreed that be the case?

Motion agreed to.

Mr. Chairman: The important part of the meeting is the discussion of the committee schedule of business. Does everyone here know each other? It is quite possible we do not. Could we start introducing ourselves, because I am sure there are those who do not know one another.

Mr. Ramsay: David Ramsay, Timiskaming.

Mr. Pouliot: Gilles Pouliot, Lake Nipigon.

Mr. Stevenson: Ross Stevenson, Durham-York.

Mr. Bernier: Leo Bernier, Kenora.

Mr. Barlow: Bill Barlow, Cambridge.

Mr. Elgie: Bob Elgie, York East.

Mr. Offer: Steve Offer, Mississauga North, standing in for Mr. Edward Sargent.

Mr. Smith: Dave Smith, Lambton, filling in for Larry South of Frontenac-Addington.

Mr. G. I. Miller: Gordon Miller, Haldimand-Norfolk.

Mr. Polsinelli: Claudio Polsinelli from Yorkview, and I am substituting for Rick Ferraro.

Mr. Chairman: There are a number of substitutions. It sounds like a regular meeting.

What is being distributed by the clerk now, as we get into discussion of the schedule of business, should be a letter before you dealing with a request for the kind of hearings to be held. I am not suggesting we need to make a decision on that letter tonight.

The one thing we need to deal with, though, is the Workers' Compensation Board. The 1984 annual report has been tabled and is available for our perusal. I have had some informal discussions with members of the committee who seem to feel that August is not appropriate but that September would be and that most people preferred the week after Labour Day week.

I had a brief chat with the minister, Bill Wrye, and he was hoping that if it were only meeting one week, it would not be the week of September 9. He would be available the week after that, if the committee wanted him here when the WCB is here. It is up to the committee to decide which week it would like.

Mr. Barlow: How many days are we talking about?

Mr. Chairman: If we have the regular kind of committee hearings with the WCB, I think one week would do it. The committee must decide. I do not feel strongly about this either way. If the committee decides it wants to make it a more extensive kind of review of the WCB, with a look at the reform of the compensation

board that is under way now, it might want to schedule two three-day weeks; but that is up to the committee.

Obviously one reason I distributed this letter for you to think about is that the Association of Injured Workers' Groups, which is not just a lobby group, has actually been very helpful to the committee over the debate on Bill 101 and so forth. It really has been.

If the committee decides it wants to make it more extensive, then it may want to meet two separate weeks; but if it wants to restrict it more to the traditional way of simply having the board officials here, then I think one week will be appropriate. That is up to the committee to decide.

Mr. Polsinelli: I have a particular difficulty. I am also sitting on the standing committee on administration of justice and I am parliamentary assistant to the Minister of Labour (Mr. Wrye). I would like to attend this committee when the WCB report is being discussed.

The standing committee on administration of justice has tentatively scheduled meetings for September 16 to 23. If the meetings of this committee dealing with the report could be scheduled either prior to that or after that, I would appreciate it.

Mr. Laughren: That is exactly in conflict with the minister.

Mr. Polsinelli: Will the minister be available after September 23?

Mr. Chairman: I cannot answer that.

I should caution the members of the committee that what we do tonight is put in as suggestions. It goes back to the whips of the three parties, who are responsible for scheduling the committees to avoid the very kinds of conflicts Mr. Polsinelli raises. All we do is say we would like to meet on the following dates. Then the three whips get together and sort it out, because they have the list of which dates the various committees are sitting.

I think it is appropriate to raise the caution that in the end it will not be we tonight who decide. We can put in what we think are the most appropriate dates and then it goes back to the whips.

Mr. Polsinelli: I suggest the first week of October.

Mr. Bernier: When is Thanksgiving day?

Mr. Barlow: October 14.

Mr. Chairman: Thanksgiving is October 14. Mr. Polsinelli is suggesting the week of October 7.

Mr. Stevenson: I would much prefer September.

Mr. Bernier: The week of October 23 is all right for me.

Mr. Chairman: Which week?

Mr. Bernier: The week of October 23.

Mr. Chairman: Can we make a basic decision first, though? Do we want to meet two separate weeks of three days a week, say, or to do it in one week? Once we make that decision, then we can make priorities for the three weeks we want--such and such a week is number one, number two and number three--so the whips can then sort it out. But we have to decide first whether we want one week or a more extensive two-week period.

Mr. Bernier: I suggest one week--four or five days--should be plenty to wind this up in.

Mr. Chairman: Pardon?

Mr. Bernier: I would say four or five days in one week. That would be my suggestion.

Mr. Chairman: All right. Can we agree then on one week for this fall session? All right.

Then we have three weeks in front of us that we are debating: the weeks of September 16 and 23 and the week of October 7. There seems to be a sense that the week of September 16 is appropriate. Do people have problems with the week of September 16?

Mr. Polsinelli: I have a problem with that week.

Mr. Chairman: The minister does not.

Mr. Polsinelli: I am not aware of his schedule in September.

Mr. Chairman: That is what he told me.

Mr. Elgie: Are you on the committee?

Mr. Chairman: No, he is a substitute.

Mr. Polsinelli: I am a substitute for a regular member, but I would also like to substitute for that member when we are dealing with labour-related issues.

Mr. Chairman: Can you do it before September 23?

Mr. Polsinelli: My only problem is the week of September 16.

Mr. Chairman: Yes, that is no problem.

Mr. Polsinelli: I have another committee scheduled for that week.

Mr. Chairman: Does anyone else have a problem with September 23? Can we put that down as week one?

Mr. Barlow: That is a clear week as far as I am concerned.

Mr. Chairman: We will reserve that for week 1 then.

Mr. Polsinelli: That is fine.

Mr. Chairman: Week 2 would be September 16, and week 3 would be October 7. Are there any problems with that? Okay. We will go ahead and give that to the whips.

8:20 p.m.

The only other thing is the budget, copies of which we will distribute. This was done by the clerks, not by anyone on the committee. This is a budget that allows the maximum. If the Legislature referred a heavy schedule to this committee-- although I do not think it will, but if it did--for example in January and February, then I think this budget allows for 12 weeks of hearings at five days a week with travel. I do not anticipate that, but just in case.

Mr. Barlow: In case we switch our agenda.

Mr. Chairman: That is right; in case we get a sudden urge to travel. Hawaii might decide to bring in a comprehensive social insurance system which we want to examine. That is a good point.

This budget will go to the board. Last year, I think the committee spent a little more than half its budget, all in the interest of fiscal responsibility.

Under other business, there is the whole question of standing before the committee. We ran into this last year and ended up voting on it. Perhaps Mr. Barlow remembers. It had to do with the injured workers' groups which wanted to stand before the committee to make their points and make presentations and so forth. It was denied because we had never done that.

Mainly, I think, the chairman relied on traditions. It would have been a precedent to give standing to any one group. If you do that, how do you deny it to others and so forth? It raises prickly questions, there is no doubt, and we would not deny that. However, that letter raises the question. It was actually voted on last year and defeated as a motion.

Mr. Polsinelli: Perhaps for the benefit of the new members you could explain exactly what the procedure is with respect to making submissions to the committee. If an individual wanted to address this committee, could he come in and ask to be heard, or is it strictly by invitation?

Mr. Chairman: It is not even that. It is a statutory requirement that the Workers' Compensation Board appear before a

committee of the Legislature every year to respond to its annual report. That is where it begins and ends.

Mr. Elgie: That is for the purpose of being questioned by members of the Legislature on the report the board files. In the past, by tradition, there have been occasions on which it has been the practice to receive briefs. If there is such an occasion, it would be so specified for a particular reason.

Mr. Chairman: To be fair, within the mandate given to it by the Legislature to deal with the Workers' Compensation Board, the committee could do that if it wished.

Mr. Polsinelli: An appropriate solution might be for the committee to invite members of the union of injured workers to make representations at a specified time, without necessarily giving them standing before the committee. If we are dealing with the report at a specific time, we could allocate one or two days, whatever that group would require, to make representations to the committee, and that would be done at our invitation.

Mr. Elgie: It is not a matter of one union of injured workers; there are many unions of injured workers. There are also many employer groups. I am not critical of it, but it is a door you open, and once you start you cannot possibly complete your work schedule in a week. There will be a number of people from a number of areas who will want to come and present briefs.

If that is what we want to do, so be it; but it will change the length of time this committee traditionally has given as well as the traditional method of operation of the committee, namely, members questioning the WCB about its responsibilities and how it has carried them out.

I am not saying that because I feel strongly one way or the other. I just want other members who are newer to know that is what happens. You cannot select who will come before you. To be fair, you would have to publish a notice that anybody wishing to come before the committee would have the right to do so.

Mr. Polsinelli: That throws a different perspective on it. My understanding is that there is only one association of injured workers, but there are many groups who purport to represent injured workers in various aspects who have made representations to the ministry with respect to workers' compensation.

However, to my knowledge, the only information we have before us is that this group is particularly interested in making submissions to the committee. I think that may require further discussion and deliberation as to whether we want to listen to a group that is interested in bringing submissions to this committee.

It may change the terms of reference and the mandate of this committee somewhat. Perhaps it would be up to the committee to decide whether it would like to investigate that aspect of it.

Mr. Barlow: As I recall, last year we received a similar

request from the Association of Injured Workers' Groups, which encompasses most, if not all, of the--

Mr. Elgie: It does not include all the legal aid clinics.

Mr. Barlow: That is right. There are other groups. We had a similar request last year, and the reason we rejected the opportunity for them to appear before us was, where do you draw the line? If that group comes to us, all of a sudden the employers--

Mr. Elgie: The employers' association--

Mr. Barlow: The Employers' Council on Workers' Compensation may want to appear before us. That is fine; that is just two groups. We could limit them to an hour apiece or whatever; it would not matter. However, then all of a sudden somebody else would hear about it and say, "We should be there too."

How can we say we are going to hear this group and that group and not any other group? For that reason, as I recall it, last year we made the decision that they could be invited to attend and if they had questions they could filter them through committee members. I do not think we heard any of them as a group, because we were afraid we would be opening a door we might not be able to close. I think I am right on that.

Mr. Polsinelli: From a personal point of view, I do not fear the floodgate argument. As a member of this Legislature, I am prepared to listen to any group that is interested in making representations to any committee of this Legislature. If this committee has to sit an extra two or three days, I am prepared to do that.

The question we have to address is, what is the mandate of this committee in examining the workers' compensation report? If the committee members are in agreement, we could expand the mandate, as I have been led to understand it, to hear submissions from groups of injured workers. If it requires us to sit an extra four or five days, so be it.

Mr. Chairman: That is why you have to be careful about the length and the schedule of hearings, because you cannot do that in one week. If the committee wants to do that, it had better be prepared to schedule two weeks, because you will not get that done in one week. It is up to the committee.

Mr. Bernier: Do we have to decide that tonight?

Mr. Chairman: I suppose we do not have to do it tonight, although if we are going to give the information to the whips and the House leaders--

Mr. Bernier: This committee is going to be around for a long time. Perhaps we could deal with the annual report first. Let us see how the first week goes. We might change our attitudes and find reason to hear all the other groups.

Mr. Chairman: The trouble is the notice to groups and that sort of thing.

Mr. D. W. Smith: Have previous members had a lot of requests from different groups to come and make presentations before this group? Do you feel there are enough out there that it could really open the floodgates? I do not know.

Mr. Chairman: That is a good question. If we advertise, it will open the gates, in my view. Two weeks would go like that.

Mr. Barlow: If you do that, you cannot limit it to groups. Then you will have individuals wanting to come in.

Mr. Smith: Have you had a lot of requests in the past few years?

Mr. Barlow: Not for the annual report, as I recall.

Mr. Chairman: No.

Mr. Barlow: It has been for other hearings we have had regarding the Workers' Compensation Board. If it is opened up to groups, how can you restrict it to groups if there is an individual who has a problem with the WCB and wants to come in and be heard?

Mr. Chairman: No. We can restrict that, to be fair. We can say, "No individual presentations."

Mr. Barlow: Maybe we could; that is possible.

8:30 p.m.

Mr. Polsinelli: I have a suggestion. I move that two days of the committee's time be set aside to listen to any submissions from any interested group representing or purporting to represent the injured workers and that notice be sent out to known groups. Perhaps through the Ministry of Labour we can identify the known groups that represent injured workers, and they should be asked whether they want to participate in making such submissions.

Mr. Chairman: You have heard the motion. Discussion?

Mr. Elgie: Would they be submissions related to the report?

Mr. Polsinelli: Yes.

Mr. Elgie: Related to matters within the report?

Mr. Polsinelli: Exactly. If we are dealing with the report, the submissions should deal only with matters related to the report.

Mr. Elgie: This letter talks about reviewing the Workers' Compensation Board appeals tribunal and the occupational health and safety division together.

Mr. Polsinelli: That is implicit in the motion. There would be an onus on the chairman to make sure that any submissions made to this committee would be dealing with the annual report.

Mr. Chairman: Okay. It would have to deal with the annual report. If we wanted to have it deal with the new act or reform of the board, say, that is different from this reference, which deals with the annual report of the WCB.

Mr. Polsinelli: Yes, I agree with you.

Mr. Elgie: Mr. Chairman, you will allow discussion of the report, will you not? You will not have any problem there. We can count on you, Roger Ramjet.

Mr. Chairman: That is right.

You have heard Mr. Polsinelli's motion. I do not have it in writing, but it calls for two days to be set aside to listen to any interested groups and for notice to be sent to known interest groups for written submissions and presumably for them to present their written submissions.

Mr. Polsinelli: Dealing with the annual report.

Mr. Chairman: Dealing with the annual report.

Mr. D. W. Smith: Only.

Mr. Elgie: Employers and injured workers' groups?

Mr. Polsinelli: If there are any groups representing employers--

Mr. Chairman: Yes, there are.

Mr. Polsinelli: --they should also be allowed to make submissions to this committee if they are interested.

Interjection: There goes your week.

Mr. Chairman: I am not going to head off your motion. I voted for a motion not too dissimilar to this last year; your party supported it too, I might add. However, I am only warning you that when you selectively send out invitations, you had better be very careful that you do not exclude people. I would have trouble supporting sending them out only to injured workers and not to employers, for example. I really believe you have to send them to both groups and be careful not to exclude certain groups.

Mr. Polsinelli: I agree, but when a member of this committee says, "There goes your week," if we put a cap on the amount of time we will be listening to representations and we have an indication as to the number of groups that are interested in making submissions, at that point we can indicate to them the amount of time they have to make submissions. That is something that can be scheduled through the chair. If we know, for example, that 10 groups are interested in making submissions and that we

have two days, and those two days represent eight hours, then we give them 45 minutes each and the chair makes them respect that.

I strongly believe, as the Premier (Mr. Peterson) has indicated, that we want to open up the government to the people. This is a process whereby we are opening up doors and sending a clear message to the people that we are responsive, that we want to listen to their views and that we are inviting them to come in and make representations.

Mr. Chairman: If I hear you correctly, you are saying one week. I think members of the committee will want three days themselves to deal with the Workers' Compensation Board.

Mr. Polsinelli: I am sorry?

Mr. Chairman: I believe the committee members themselves will want three days to deal with the officials from the board. What I think I hear you saying, maybe not directly, is that you want the second week set aside for submissions to the committee dealing with the annual report.

Mr. Polsinelli: It would be at the discretion of the committee whether it wanted to listen to the representative groups before or after interviewing the people from the board. Those are the technicalities you as chairman can work out.

Mr. Chairman: We can work that out, but I am saying that in terms of the time frame, most of the committee work tends to be three days a week and that we could take two three-day weeks to deal with it.

Mr. Polsinelli: You may want to schedule two weeks and have the representations from the groups extended to three days instead of two.

Mr. Chairman: Yes.

Mr. Polsinelli: Therefore, you can set two weeks aside for that process.

Mr. Chairman: Is there any further discussion on this from other members of the committee?

Mr. Ramsay: I concur with the recommendation.

Mr. Chairman: Is it two weeks then? The question is, which two? Shall we say any of those two weeks?

Mr. Barlow: Before we do that, is the motion for two days for the groups?

Mr. Chairman: That is what Mr. Polsinelli said.

Mr. Barlow: Can you say "up to two days?" If we get only one or two groups that want to participate, we do not want to spend two days on one group or even two groups. Are we talking in terms of two weeks?

Mr. Chairman: Excuse me. You know the injured workers' association will take a whole day, without a doubt.

Mr. Barlow: Yes, I know that.

Mr. Chairman: You really are going to need three days that second week.

Mr. Bernier: We will have the minister here, I hope.

Mr. Chairman: That is a friendly change to your motion.

Mr. Polsinelli: Accepted.

Mr. Bernier: Will the minister be here?

Mr. Chairman: Did he say he could be here after the 16th?

Mr. Bernier: Will he be here for all the hearings?

Mr. Chairman: He did not say that.

Mr. Elgie: We want to insist on that.

Mr. Polsinelli: I assure the committee members that if the minister is not here, his parliamentary assistant definitely will be.

Mr. Bernier: I do not think that is good enough. The minister should be here.

Mr. Stevenson: The presence of the parliamentary assistant has never counted in the past.

Mr. Chairman: We are looking at a new government and a new procedure.

Mr. Elgie: I recall the committee adjourning--

Mr. Chairman: We had nothing but respect for the parliamentary assistants when we had them here.

You have heard the motion. Is there anyone else who wants to speak to it?

Mr. Bernier: Do you mean the motion regarding the parliamentary assistants?

Mr. Chairman: Would you read that motion as it now stands, please?

Clerk of the Committee: Mr. Polsinelli moved that three days be set aside to listen to any interested groups representing injured workers and that notice to appear be sent to known interested groups, inviting written submissions as well as oral ones, dealing only with the annual report.

Mr. Chairman: I think Mr. Polsinelli wants a minor change in that.

Mr. Polsinelli: Yes, it should read "any interested group." That would cover the injured workers and the employers.

Mr. Elgie: Who is going to select those?

Mr. Polsinelli: The Ministry of Labour may have a list. You can contact them, and I am sure they would be very willing to provide it.

Mr. Chairman: We will have to try to sort out what we think are representative groups. We know the Employers' Council on Workers' Compensation, for example; perhaps the Canadian Manufacturers' Association and the chambers of commerce.

Interjection.

Mr. Chairman: You are going to be difficult, I can see, Mr. Barlow.

Is the motion understood? Is it also understood, before we vote on this motion, that means we need two of those three weeks we had previously laid out? Is that all right?

Mr. Barlow: If required.

Mr. Chairman: As required, yes. Are we ready for the motion?

All those in favour? Opposed?

Motion agreed to.

Mr. Chairman: We will submit those three weeks.

Before anybody leaves, I omitted to ask for a motion to approve the budget, to authorize the chairman to present it to the Board of Internal Economy.

Mr. Ramsay: I so move.

Mr. Chairman: It has been moved by Mr. Ramsay. Is there any further business?

Mr. Stevenson: Is the chairman's salary in this budget?

Mr. Chairman: No, it is not.

The committee adjourned at 8:42 p.m.

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